

REMARKS

Applicants appreciate the Examiner's thorough consideration of the above-identified application. In response to the Examiner's request, Applicants submit the following amendments and requests.

Applicants thank the Examiner for the thorough consideration of the Application and in the Examiner's recognition of allowable subject matter. Applicants further respectfully request reconsideration of the above-mentioned application in light of the amendments and remarks which follow.

The Examiner rejected claims 1-3 and 7 under 35 U.S.C. § 103a as being unpatentable over Kosmala (U.S. Patent 5,645,454) in view of Suzuki, et al. (U.S. Patent 5,011,415).

The Examiner indicated that regarding claims 1 and 17, that Kosmala discloses a shielded jack assembly comprising

- An insulator member (14) having pin receiving passageway, a rear slot intersecting the passageway at least to an outer surface of the insulator;
- A pin (12) having an elongate portion (20) and an orthogonally arranged PCB tine (22) which extends in the rear slot;
- A shielded tube (36) extending at least partially along a length of the insulator member; and
- A metallic shell (38) having an outer body (44) conforming to an exterior contour of the shielded tube, sidewall portions (52) and a rear plate portion (56) hingedly connected to the outer body and folded downwardly to enclose an end opening.

The Examiner indicated that Kosmala discloses the invention of claims 1 and 7 with the exception of the mating portion of the pin being exposed in a recess of the

insulated member. The Examiner further indicates that Suzuki in Fig. 1 discloses such a contact portion (2a) of a conductor (2) being exposed in a recess of insulator (6) of Suzuki. The Examiner further opines that it would have been obvious to one of ordinary skill at the time the invention was made to provide Kosmala to have the insulator as taught by Suzuki for easier coupling. Applicants submit that the rejection by the examiner of claims 1-3 and 17 under a combination of Kosmala and Suzuki fails for a number of reasons.

Firstly, Applicants believe that Kosmala and Suzuki are not properly combinable, and there is no suggestion for their combination.

Prior art references may only be combined when there is a teaching, suggestion, or motivation within the prior art references themselves. *C.R. Bard, Inv. v. M3 Systems, Inc.*, 157 F.3d 1340, 1352 (Fed. Cir. 1998). Accordingly, hindsight reconstruction may not be used to "pick and choose among isolated disclosures in the prior art to deprecate the claimed invention." *In re Fine*, 837 F.2d 1071, 1075 (Fed. Cir. 1988).

Moreover, even if properly combined, the combination of Kosmala and Suzuki does not teach the invention as claimed in claim 1. More particularly, and as indicated in claim 1, the metal ground shell is stamped and formed and has an outer body portion conforming to an exterior contour of the shielded tube with side wall portions extending downwardly therefrom with integrally formed printed circuit board portions and a rear plate portion which is hingedly connected to the outer body portion and is folded downwardly to enclose an opening. Applicants specified in the application, in paragraph 32, that the design provides for a simplified assembly method for stamping and forming the

connector assembly including a ground shell where the present connector design can use preplated stock which is not destroyed by a drawing process making the overall unit less expensive.

Rather, Kosmala specifically teaches having a housing (38) which is die cast. Die casting is also very expensive and is contradictory to the present invention. Rather, Applicants have provided an elongate seamless shielded tube in combination with a stamped and formed metallic ground shell. Kosmala teaches just the opposite having a seamed tube or shell (36) and zinc alloy die cast housing (38). Thus, even if properly combinable, the combination of Kosmala and Suzuki does not obviate Applicants' invention.

Furthermore, the Examiner rejected claims 5-6, 10-11, and 18 under 35 U.S.C. § 103a as being unpatentable over Kosmala and Suzuki as applied to claim 1 and further in view of Regnier (U.S. Patent 6,575,761). The Examiner indicated that Kosmala discloses the present invention as claimed with the exception of the outer shroud portion. However, the Examiner points to Regnier Fig. 7, indicating that Regnier has a front shield (14) and that it would have been obvious to one of ordinary skill at the time the invention was made to provide Kosmala to have the front shield as taught by Regnier for better connection.

Applicants believe that the front shield of Regnier is more or less identical to the front metal shell (36) of Kosmala and that there would be no reason to install a front shield (14) of Regnier over the front metal shell (36) of Kosmala nor would this be a shroud. Rather the shroud as item 6 in Fig. 3 encompasses one or more of the combination of Applicants' shielded tube and metal ground shell and it forms an outer shielding for continuous connection with the mating connector as shown and described with relation to

Figs. 2 and 8, where the two devices as shown therein form a mating pair.

Finally, the Examiner rejected claims 4, 12-13, and 19 under 35 U.S.C. § 103a as being unpatentable over Kosmala, Suzuki, et al. and Regnier as applied to claims 1 and 10 above and further in view of Skopic, et al. (U.S. Patent 6,386,888). Skopic shows a conductive insert (92) having a circumferentially extending groove (176) and further indicates that the shell of the female contact will mate with the groove (176) in a conventional manner.

Claims 4, 12-13, and 19 indicated that the shielded tube is provided with a peripheral undercut and that the ground shell is crimped around the tube with a section of the outer body portion extending into the undercut. Thus the undercut in Skopic relates to a temporary mating connection whereas the undercut in the present application relates to the permanent crimping of the two parts together of the same component. This is contrary to the teaching of Skopic.

CONCLUSION

Applicants believe that the application, as amended, is now in condition for allowance and action toward that end is respectfully requested. If any issues remain that can be resolved by telephone, the Examiner is invited to call the undersigned attorney.

In the event that Applicants have overlooked the need for an extension of time, an additional extension of time, payment of fee, or additional payment of fee, Applicants hereby conditionally petition therefore and authorize that any charges be made to Deposit Account No. 02-0390, BAKER & DANIELS.

Respectfully Submitted,

By:



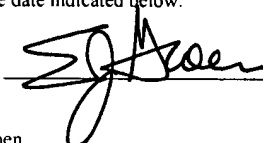
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